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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Debbie Prout

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Applicant : Yochay Danziger, et al.
Application No. : 09/403,472
Filed : October 22, 1999
Title : OPTICAL RESONATORS WITH DISCONTINUOUS PHASE ELEMENTS

Grp./Div. : 2828
Examiner : Armando Rodriguez
Docket No. : 36256/DBP/C608

**TRANSMITTAL FOR TERMINAL DISCLAIMER TO
OBVIATE A DOUBLE PATENTING REJECTION**

Assistant Commissioner for Patents
Washington, D.C. 20231

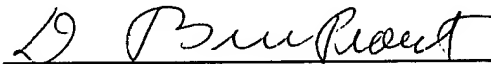
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February 4, 2003

Commissioner:

Enclosed is a Terminal Disclaimer to Obviate a Double Patenting Rejection and the statutory fee of \$55.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 03-1728. Please show our docket number with any credit or charge to our Deposit Account. **A copy of this letter is enclosed.**

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
D. Bruce Prout
Reg. No. 20,958
626/795-9900

DBP/djp
Enclosures: Terminal Disclaimer
Check; Copy of letter

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TERMINAL DISCLAIMER TO OBVIATE A
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SPECIAL PROGRAM CENTER

Assistant Commissioner for Patents
Washington, D.C. 20231

P. O. Box 7068
Pasadena, CA 91109-7068
February 4, 2003

Commissioner:

I hereby certify that I am the attorney of record in this application and am authorized to execute this disclaimer on behalf of the assignee; and I further certify that the evidentiary documents have been reviewed and that assignee, to the best of my knowledge and belief, has title to the above-identified application and patent.

Yeda Research and Development Co., an Israel corporation having an address of P.O. Box 95, 76100 Rehovot, Israel, represents: (a) that it is the assignee of the entire interest in U.S. patent Application No. 09/403,472, filed October 22, 1999, and entitled OPTICAL RESONATORS WITH DISCONTINUOUS PHASE ELEMENTS, by virtue of the assignment recorded in the United States Patent and Trademark Office at reel 011445, frame 0504; and (b) that it is the assignee of record of the entire interest in U.S. Patent No. 6,134,259.

Yeda Research and Development Co. hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. 6,134,259, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title thereto shall be the same as the legal title to U.S. Patent No. 6,134,259, this agreement to run with any patent

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Application No. 09/403,472

granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Applicant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent 6,134,259, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like, so made, are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and further that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

RENEE PRESTON
PARALEGAL SPECIALIST
TECHNOLOGY CENTER 2800

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By D. Bruce Prout
D. Bruce Prout
Reg. No. 20,958

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